DEIULIIS et al v. BOY SCOUTS OF AMERICA NATIONAL COUNCIL Doc. 1

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NICOLA DeIULIIS, a minor, by his Guardian, ANNETTE DeIULIIS, and ANNETTE DeIULIIS, in her own right,	]	**CIVIL DIVISION**
	]	No.
Plaintiffs	]	
vs.	]	
BOY SCOUTS OF AMERICA NATIONAL COUNCIL,	]	
Defendant.	]	

COMPLAINT

1. Plaintiffs are citizens of the Commonwealth of Pennsylvania; Defendant, Boy Scouts of America National Council, is a corporation incorporated under the laws of the state of Texas, having its principal place of business within the state of Texas. The matter in controversy exceeds, exclusive of interest and costs, the sum of $75,000.00.

2. On Sunday, August 15, 2004, at approximately 12:49 p.m. on State Route 366 in Washington Township, Westmoreland County, an agent and/or registered volunteer of the Defendant, Boy Scouts of America, while in the course of his duties as an agent or a volunteer, willfully, recklessly or negligently drove the motor vehicle which he was operating, in which the minor Plaintiff was a passenger, off the roadway and into a drainage ditch and then an embankment.

3. As a result, the minor Plaintiff was thrown about the interior of the vehicle and suffered severe and irreversible damage to his internal organs and other parts of his body which has resulted in global, as well as specific harm; the minor Plaintiff has also sustained a loss of his ability to earn a living in the future; he and his family have suffered great pain of body and mind, and incurred expenses for medical attention and hospitalization in the past and will continue to incur such expenses in the future.

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4. Annette DeIuliis, the Parent and Guardian of Nicola DeIuliis, has suffered independent financial injury and great pain of body and mind as a direct result of her son's injuries.

5. The injuries to the Plaintiffs are the product of deliberate indifference and constitute reckless and outrageous conduct on the part of the Defendant, warranting the assessment of exemplary damages against the Defendant.

WHEREFORE, Plaintiffs demand judgment against Defendant for economic losses, past medical expenses, damages for future medical and health care expenses, general damages as allowed by law, punitive damages, and costs.

Respectfully submitted,

PRIBANIC & PRIBANIC, L.L.C.

By: ______________________________

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JURY TRIAL DEMANDED